

## REMARKS

Applicant respectfully requests further examination and reconsideration in view of the instant response. Claims 1-34 remain pending. Claims 1-34 are rejected.

### 35 U.S.C. § 103(a) Rejections

According to the instant Office Action, Claims 1-34 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,963,972 by Chang et al., hereinafter referred to as "Chang," in view of "Recommendation for Block Cipher Modes of Operation – Methods and Techniques" by Dworkin, hereinafter referred to as "Dworkin." The Applicant has reviewed Chang and Dworkin and respectfully submits that the claimed embodiments are patentable over the combination of Chang and Dworkin, for at least the following rationale.

Independent Claim 1 recites "accessing transcodable content that comprises independently processable components to be encrypted; and encrypting at least one of said independently processable components" (emphasis added). Independent Claims 12 and 24 recite similar embodiments. Claims 2-11, 13-23 and 25-34 depend on Claim 1, 12 or 24 and also include these embodiments.

"As reiterated by the Supreme Court in *KSR*, the framework for the objective analysis for determining obviousness under 35 U.S.C. 103 is stated in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966). Obviousness is a question of law based on underlying factual inquiries" including "[a]scertaining the differences between the claimed invention and the prior art" (MPEP 2141(II)).

"In determining the differences between the prior art and the claims, the question under 35 U.S.C. 103 is not whether the differences themselves would have been obvious, but whether the claimed invention as a whole would have been obvious" (emphasis in original; MPEP 2141.02(I)). Applicant notes that "[t]he prior art reference (or references when combined) need not teach or suggest all the claim limitations, however, Office personnel must explain why the difference(s) between the prior art and the claimed invention would have been obvious to one of ordinary skill in the art" (emphasis added; MPEP 2141(III)).

Furthermore, Applicant submits that "[a] prior art reference must be considered in its entirety, i.e., as a whole, including portions that would lead away from the claimed invention" (emphasis in original; MPEP 2141.03(IV)).

Applicant respectfully submits that Chang does not teach, describe or suggest "accessing transcodable content that comprises independently processable components to be encrypted; and encrypting at least one of said independently processable components" (emphasis added) as claimed, as asserted in the Office Action mailed October 11, 2007. In contrast, Applicant understands Chang to disclose that the processing of each component is dependent on the associated metadata. In particular, Applicant understands Chang to disclose that the metadata is used to process a component, thereby introducing dependencies into the processing of the components.

Applicant understands Chang to describe a method and apparatus for networked information dissemination through secure transcoding whereby metadata information is added to data components, the combined metadata

information and data components are encrypted, and additional metadata is added to the encrypted metadata and data components (col. 9, lines 24-26, and col. 10, lines 24-27). In particular, Chang discloses that the “[c]lear-text metadata preferably provides a semantic understanding of the absolute or relative importance/priority of the components with respect to each other, thereby facilitating the transcoding process” (emphasis added; Abstract). In other words, Applicant understands Chang to disclose that the processing of a component is dependent on the associated metadata, and therefore the components are not “independently processable components” as claimed. Furthermore, Applicant understands that the components of Chang are not transcodable without the associated metadata. Therefore, Applicant respectfully submits that the transcoding of a component requires its associated metadata.

Chang recites that “[e]ach of these components is also preferably annotated with a metadata header, including but not limited to component identification fields and information regarding the relative importance/priority of the particular component” (emphasis added; col. 4, lines 1-5). Specifically, “[t]he transcoding proxy receives the multiple messages corresponding to each component and inspects the metadata header of each message to determine which encrypted components should be selectively filtered” (emphasis added; col. 4, lines 12-15). As such, Applicant understands that the transcoding of each component is dependent on the metadata for that component.

With reference to Figure 10, Chang discloses a transcoding process that determines which components to filter utilizing the metadata. Chang recites “[u]sing the information provided in the extracted metadata header, the

transcoding proxy selectively manipulates 1003 the received components, such as by determining which encrypted components or component portions of the received message(s) to filter" (emphasis added; col. 10, lines 58-62). "The metadata headers, or other suitable equivalent annotating data, accompanying each message preferably furnish the transcoding proxy with sufficient semantic understanding of the components to make an informed determination concerning which components to filter and which components to send to the client device" (emphasis added; col. 11, lines 28-33). In particular, Applicant understands Chang to disclose that the processing of one component is dependent on its associated metadata, and therefore the components are not "independently processable components" as claimed.

Therefore, Applicant respectfully submits that Chang does not teach, describe or suggest "accessing transcodable content that comprises independently processable components to be encrypted; and encrypting at least one of said independently processable components" (emphasis added) as claimed. Moreover, by disclosing that components are processed by inspecting the metadata headers, Applicant respectfully submits that Chang teaches away from "accessing transcodable content that comprises independently processable components to be encrypted; and encrypting at least one of said independently processable components" (emphasis added) as claimed. In other words, by disclosing that the processing of one component is dependent on its associated metadata, Applicant respectfully submits that Chang teaches away from the claimed embodiments of "independently processable components."

Furthermore, Applicant respectfully submits that Dworkin does not overcome the shortcomings of Chang. Applicant understands Dworkin to describe “confidentiality modes of operation for use with an underlying symmetric key block cipher algorithm” (page v, Abstract). In particular, Applicant respectfully submits that Dworkin does not teach, describe or suggest “accessing transcodable content that comprises independently processable components to be encrypted; and encrypting at least one of said independently processable components” (emphasis added) as claimed.

Accordingly, Applicant respectfully submits that the basis for rejecting independent Claims 1, 12 and 24 under 35 U.S.C. § 103(a) is traversed and that, as a result, Claims 1, 12 and 24 are in condition for allowance. Furthermore, Applicant respectfully submits that the basis for rejecting Claims 2-11, 13-23 and 25-34 under 35 U.S.C. § 103(a) is also traversed as these claims depend from allowable base claims, and consequently Claims 2-11, 13-23 and 25-34 are also in condition for allowance.

## CONCLUSION

In light of the above remarks, Applicant respectfully requests reconsideration of the rejected claims. Based on the arguments presented above, Applicant respectfully asserts that Claims 1-34 overcome the rejections of record, and therefore Applicant respectfully solicits allowance of these claims.

The Examiner is invited to contact Applicant's undersigned representative if the Examiner believes such action would expedite resolution of the present Application.

Respectfully submitted,  
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Date: 1/11/2008

  
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